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HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP: ISSUE FEE, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

BY: Iara Fromm

DATE: October 19, 2004

**PATENT
BOX ISSUE FEE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-------------|------------------------------|---|--------------------------|
| In re: | Patent Application of | : | |
| | Soryu Nakayama <i>et al.</i> | : | |
| | | : | Group Art Unit 1745 |
| Conf. No.: | 1922 | : | Issued: October 12, 2004 |
| Patent No.: | US 6,803,148 B2 | : | |
| Appln. No.: | 09/980,937 | : | Allowed: July 1, 2004 |
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| Filed: | April 3, 2001 | : | |
| | | : | |
| For: | NICKEL POSITIVE ELECTRODE | : | Attorney Docket No. |
| | PLATE AND AKALINE STORAGE | : | No. 10059-401US |
| | BATTERY | : | (P25379-01) |

TRANSMITTAL LETTER

Although it is Applicants' opinion that the claims filed by way of amendment are substantially embraced in the statement of invention or in the claims originally filed, Applicant's herewith file a Supplemental Declaration for precautionary purposes under 37 CFR 1.67.

Respectfully submitted,

SORYU NAKAYAMA ET AL.

October 19, 2004 By: William W. Schwarze
Date

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WWS/TMF

Enclosure

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